

1 AARON D. FORD  
2 Attorney General  
3 DARBY G. PHELPS, Bar No. 14599  
4 Deputy Attorney General  
5 State of Nevada  
6 Bureau of Litigation  
7 Public Safety Division  
8 100 N. Carson Street  
9 Carson City, Nevada 89701-4717  
10 Tel: (775) 684-1159  
11 E-mail: dphelps@ag.nv.gov

12 *Attorneys for Defendant Paul Valdez*

13  
14 **UNITED STATES DISTRICT COURT**  
15  
**DISTRICT OF NEVADA**

16 CARY J. PICKETT,  
17 Plaintiff,  
18 v.  
19 VALDEZ, *et al.*,  
20 Defendants.

Case No. 3:17-cv-00567-MMD-WGC

21  
**ORDER GRANTING MOTION FOR  
EXTENSION OF TIME TO SERVE  
DISCOVERY RESPONSES TO REQUEST  
FOR PRODUCTION OF DOCUMENTS  
SET ONE  
(FIRST REQUEST)**

22 Defendant, Paul Valez, by and through counsel, Aaron D. Ford, Attorney General of the State of  
23 Nevada, and Darby G. Phelps, Deputy Attorney General, submits his Motion for Extension of Time to  
24 Serve Discovery Responses to Request for Production of Documents Set One. This Motion is based on  
25 Federal Rule of Civil Procedure 6(b)(1)(A), the following Memorandum of Points and Authorities, and  
26 all papers and pleadings on file in this action.

27  
**MEMORANDUM OF POINTS AND AUTHORITIES**

28 I. **ARGUMENT**

29 Defendant respectfully requests a thirty (30) day extension of time out from the current deadline  
30 (April 15, 2019) to serve his discovery responses to Plaintiff's Request for Production of Documents  
31 (Set One). Counsel for Defendants is confronted with numerous competing deadlines and a high  
32 workload due to staffing changes in the Office of the Attorney General. However, such obstacles are  
33 currently being resolved and the requested extension of time should afford Defendants adequate time to  
34 serve discovery responses in this case.

35 //

Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as follows:

When an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires; or (B) on motion made after the time has expired if the party failed to act because of excusable neglect.

Defendant's request is timely and its limited nature will not hinder or prejudice Plaintiff's case, but will allow for more thorough responses to Plaintiff's discovery requests. The requested thirty (30) day extension of time should permit Defendants time to adequately research and respond to Plaintiff's discovery requests. Defendant asserts that the requisite good cause is present to warrant the requested extension of time. Additionally, Defendant timely served his responses to Plaintiff's First Set of Interrogatories.

For these reasons, Defendants respectfully request a thirty (30) day extension of time from the current deadline to serve discovery responses, with a new deadline to and including Wednesday, May 15, 2019.

DATED this 12th day of April, 2019.

AARON D. FORD  
Attorney General

By:

DARBY G. PHELPS  
Deputy Attorney General  
State of Nevada  
Bureau of Litigation  
Public Safety Division

Attorneys for Defendants

## **IT IS SO ORDERED.**

Walter G. Cobb  
U.S. MAGISTRATE JUDGE

DATED: April 12, 2019